

REMARKS/ARGUMENTS

After entry of the above amendment, claims 76-78 will be pending. Support for the claims can be found throughout the specification and claims as originally filed, for example, in originally filed claims 9 and 53. No new matter has been added.

The Examiner has restricted the claims into the following groups:

Group I: claim 9-22, 32-46, 54-76 drawn to a lipid compound having the formula I, wherein X is selected from the two formulas recited in the claim, wherein Q is defined in the claim, R_2 is the same as R_1 (as defined in claim 9); and wherein Y is defined as in claim 9, with the proviso that Y is not an amino acid residue or a peptide.

Group II: claims 9-22, 15-17, 23-31, 54-75 drawn to a lipid compound of formula I, wherein X and Q are as recited in the claim, wherein R_2 is the same as R_1 as defined in claim 9; and wherein Y is an amino acid residue or a peptide.

Group III: claims 5, 6, 9, 12-22, 32-46, 54-75 drawn to a lipid compound having the formula I, wherein X is R_2 -Q, wherein R_2 is a steroid group, wherein Q is defined as in the claim, and wherein Y is defined as in claim 9, with the proviso that Y is not an amino acid residue or peptide.

Group IV: claims 5, 6, 9, 12, 15-17, 23-46, 54-75 drawn to a lipid compound having the formula I, wherein X is selected from R_2 -Q, wherein R_2 is a steroid group, wherein Q is defined as in the claim, and wherein Y is defined as an amino acid residue or a peptide.

The Examiner has also required five species elections.

Species Election One:

Species I: claims 47, 48 drawn to a lipid compound in class 424, subclass 450

Species II: claims 49, 50 drawn to a lipid compound in class 424, subclass 450

Species III: claim 51, drawn to a lipid compound in class 424, subclass 450

Species IV: claim 52, drawn to a lipid compound in class 424, subclass 450

Species V: claim 53 drawn to a lipid compound in class 424, subclass 450.

Species Election Two:

Applicants are required to elect among oleyl, linoleyl, stearyl, eleostearyl, lauryl and palmityl as recited in generic claims 1, 3 and 4.

Species Election Three:

Applicants are required to elect a single disclosed species of formula (I).

(A) if the species of X containing W is elected, Applicant is required to elect a single specific species of W as listed in the claim.

(B) if the species of W containing R₃ is elected, Applicant is required to elect a single specific species of R₃ as listed in the claim.

(C) As best understood, if a specific species of R₁ is elected, an election is required from among the species listed in claim 10 (*e.g.*, lauryl, myristyl, palmityl, edaidyl, oleyl, stearyl, linoleyl, eleostearyl, and phytanyl).

Species Election Four:

If Applicants elect the peptide group for Y in the lipid compound according to formula (I) in claim 9, an election is required with respect to the species of peptide groups in claim 23 (groups II-V).

Species Election Five:

If Applicants elect the peptide group for Z in the lipid compound according to formula (I) of claim 9, an election is required with respect to the species of peptide groups recited in claim 39 (groups IV-VIII).

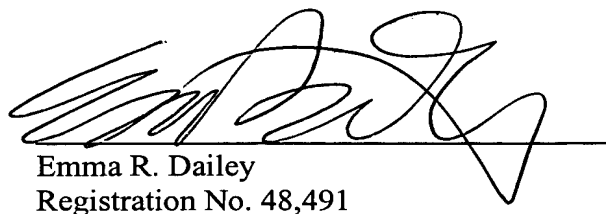
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PATENT

Applicants would like to thank the Examiner for the telephonic interview on November 3rd to discuss the response to the restriction requirement. Applicants have canceled claims 1-75 and have presented claims 76-78. In view thereof, the restriction requirement has been rendered moot.

Applicants earnestly solicit a Notice of Allowance. Should there be any questions, the undersigned invites the Examiner to call her at the number below.

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